| 1  |                                                                                         | HONORABLE RONALD B. LEIGHTON |
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| 6  | LIMITED OT ATEC                                                                         | DISTRICT COLLDT              |
| 7  | UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA                   |                              |
| 8  | GAIL VINCENT,                                                                           | CASE NO. C16-5023RBL         |
| 9  | GAIL VINCENT,                                                                           | CASE NO. C10-3023RBL         |
| 10 | Plaintiff,<br>v.                                                                        | ORDER                        |
| 11 | BELINDA STEWART, et al.,                                                                |                              |
| 12 | Defendants.                                                                             |                              |
| 13 |                                                                                         |                              |
| 14 | THIS MATTER is before the Court on Magistrate Judge Fricke's Report and                 |                              |
| 15 | Recommendation [Dkt. # 131], recommending that the Court DENY defendants' Second Motion |                              |
|    | for Summary Judgment [Dkt. # 118]:                                                      |                              |
| 16 | (1) The Magistrate Judge's Report and Recommendation is ADOPTED;                        |                              |
| 17 | (2) Defendants' Motion for Summary Judgment is DENIED.                                  |                              |
| 18 | (3) The Court RESERVES ruling on the admissibility of Erin Lystad's and Scott Light's   |                              |
| 19 | testimony at trial.                                                                     |                              |
| 20 | IT IS SO ORDERED.                                                                       |                              |
| 20 | Dated this 6 <sup>th</sup> day of January, 2020.                                        |                              |
| 21 |                                                                                         | ROB Coll                     |
| 22 |                                                                                         | Ronald B. Leighton           |
| 23 |                                                                                         | United States District Judge |
| 24 |                                                                                         |                              |